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2008-101-T

	<b>US DOT #</b> 1732758	<b>Legal:</b> SOUTH CAROLINA TOURS LLC <b>Operating (DBA):</b>	
<b>MC/MX #:</b> 634798		<b>Federal Tax ID:</b> [REDACTED]	
<b>Review Type:</b> Safety Audit - New Entrant - Receipt			
<b>Scope:</b> Entire Operation		<b>Location of Review/Audit:</b> Company facility in the U. S.	
<b>Operation Types</b>		<b>Territory:</b>	
<b>Carrier:</b> Non-HM	<b>Intrastate:</b> N/A	<b>Business:</b> Corporation	
<b>Shipper:</b> N/A	<b>Intrastate:</b> N/A	<b>Gross Revenue:</b> \$9,346.50	
<b>Cargo Tank:</b> N/A		<b>for year ending:</b> 12/31/2007	
<b>Physical Address:</b>			
1510 G-EGG STREET COLUMBIA, SC 29201			
<b>Contact Name:</b> Dane Toomer			
<b>Phone numbers:</b> (1) 803-254-6944 (2) 803-720-8679 <b>Fax</b> 803-253-6334			
<b>E-Mail Address:</b> sctoursinc@yahoo.com			
<b>Mailing Address:</b>			
1510 GREGG STREET COLUMBIA, SC 29201			
<b>Report Summary</b>			
<b>Report</b>	<b># of Pages</b>	<b>RECEIVED</b> MAY 13 2008 PSC SC DOCKETING DEPT.	
Part A - General	2		
Part B - Questions & Answers	7		
Part B - Proposed Result	1		
Part B - Recommendations	2		
Review/Audit Receipt Page	1		
<b>Total Pages</b>	13		
<b>Disclaimer:</b> By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit, however they have been discussed in detail with me.			
<p>QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:</p> <p>S.C. Department of Motor Vehicles/Motor Carrier Services  10311 Wilson Blvd. P.O. Box 1498 Blythewood, SC 29016-0027  Phone: (803)896-2696 FAX: (803)896-2676</p>			
<b>This SAFETY AUDIT will be used to assess your safety compliance.</b>			
<b>Person(s) Interviewed</b>			
<b>Name:</b> Dane Toomer		<b>Title:</b> General Manager	
<b>Name:</b>		<b>Title:</b>	
<b>Reported By:</b> [Signature]		<b>Title:</b> Safety Auditor	
<b>Received By:</b> [Signature]		<b>Title:</b> General Manager	
		<b>Code:</b> SC0162	<b>Date:</b> 5/6/2008



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1510 GREGG STREET COLUMBIA, SC 29201				
<b>Contact Name:</b> Dane Toomer				
<b>Phone numbers:</b> (1) 803- 254-6944      (2) 803-720-8679 <b>Fax</b> 803-253-6334				
<b>E-Mail Address:</b> sctoursinc@yahoo.com				
<b>Mailing Address:</b>				
1510 GREGG STREET COLUMBIA, SC 29201				
<b>Carrier Classification</b>				
Authorized for Hire				
<b>Cargo Classification</b>				
Passengers				
<b>Does carrier transport placardable quantities of HM?</b> No				
<b>Is an HM Permit required?</b> N/A				
<b>Driver Information</b>				
	Inter	Intra	Average trip leased drivers/month: 0	
< 100 Miles:			Total Drivers: 10	
>= 100 Miles:	10		CDL Drivers: 10	
<b>Equipment</b>				
	Owned	Term Leased	Trip Leased	Owned Term Leased Trip Leased
Motor Coach	4	0	0	Minibus, 16+      1      0      0
Power units used in the U.S.: 5				
Percentage of time used in the U.S.: 100				





**SOUTH CAROLINA TOURS LLC**

U.S. DOT #: 1732758

Review Date:

05/06/2008

**Part A**

QUESTIONS regarding this report or the Federal Motor Carrier Safety or  
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

S.C. Department of Motor Vehicles/Motor Carrier Services  
10311 Wilson Blvd. P.O. Box 1498 Blythewood, SC 29016-0027  
Phone: (803)896-2696 FAX: (803)896-2676

**This SAFETY AUDIT will be used to assess your safety compliance.**

**Person(s) Interviewed**

**Name:** Dane Toomer

**Name:**

**Title:** General Manager

**Title:**





SOUTH CAROLINA TOURS LLC  
U.S. DOT #: 1732758

Review Date:  
05/06/2008

## Part B - Questions and Answers

An asterisk (\*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.

**Question** General # 1 - Section # 387.7(a) Acute

Does the carrier have the required minimum level of financial responsibility in effect?

**Answer**

Yes

**Comments**

**Question** General # 2 - Section # 387.7(d) Critical

Does the carrier have required proof of financial responsibility?

**Answer**

No \*

**Comments**

Venice McCain, March 25, 2008 - Missing MCS90B Transporting passengers.

**Question** General # 3 - Section # 390.15(b)(1)

Can the carrier provide a complete accident register of recordable accidents?

**Answer**

N/A

**Comments**

**Question** General # 4 - Section # 390.15(b)(2) Critical

Does the carrier have copies of all accident reports required by States or other government entities or insurers?

**Answer**

N/A

**Comments**

**Question** General # 5 - Section # 390.3(e)

Is the carrier knowledgeable of the FMCSRs/HMRs?

**Answer**

Yes

**Comments**

**Question** General # 6 - Section # 390.21

Does the carrier know the commercial motor vehicles marking requirements?

**Answer**

Yes

**Comments**

**Question** Driver # 1 - Section # 391.51(a) Critical

Does the carrier maintain complete driver qualification files?

**Answer**

No \*

**Comments**

Venice McCain, March 25, 2008 - *Application* ~~Application~~ for employment incomplete, missing safety performance history check.

**Question** Driver # 2 - Section # 391.11(b)(4) Acute

Is the carrier using physically qualified drivers?

**Answer**

Yes

**Comments**

**Question** Driver # 3 - Section # 391.45(a), 391.45(b) Critical

Does available evidence indicate the motor carrier has used a driver without a medical certificate or with an expired medical certificate?

**Answer**

No

**Comments**

**Question** Driver # 4 - Section # 391.15(a) Acute

Is the carrier using any disqualified drivers?

**Answer**

No

**Comments**





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## Part B - Questions and Answers

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**Question** Driver # 5 - Section # 391.51(b)(2) Critical

Does the carrier maintain driving and employment history inquiry data in driver qualification files?

**Answer**

No \*

**Comments**

Venice McCain, March 25, 2008 - No previous employment history inquiry in drivers file. Driving history dated 12/19/06. Date hired 2/06/08.

**Question** Driver # 6 - Section # 382.115(a) Acute

Has the carrier implemented an alcohol and/or controlled substances testing program?

**Answer**

Yes

**Comments**

**Question** Driver # 7 - Section # 382.213(b) Acute

Has the carrier used drivers who have used controlled substances?

**Answer**

No

**Comments**

**Question** Driver # 8 - Section # 382.215 Acute

Has the carrier used a driver who has tested positive for a controlled substance?

**Answer**

No

**Comments**

**Question** Driver # 9 - Section # 382.201 Acute

Has the carrier used a driver known to have an alcohol concentration of 0.04 or greater?

**Answer**

No

**Comments**

**Question** Driver # 10 - Section # 382.505(a) Acute

Has the carrier used a driver found to have an alcohol concentration of .02 or greater but less than .04 within 24 hours of being tested?

**Answer**

No

**Comments**

**Question** Driver # 11 - Section # 382.301(a) Critical

Has the carrier ensured that drivers have undergone testing for controlled substances prior to performing a safety sensitive function?

**Answer**

No \*

**Comments**

Logs indicate that Carl Council made a trip on Jan 17, 2008. Records indicate that he had his pre-employment screening test on Feb 15, 2008.

**Question** Driver # 12 - Section # 382.303(a) Critical

Has the carrier conducted post accident testing on drivers for alcohol and/or controlled substances?

**Answer**

N/A

**Comments**

**Question** Driver # 13 - Section # 382.305 Acute

Has the carrier implemented random testing program?

**Answer**

No \*

**Comments**

Venice McCain, March 25, 2008 - There is no evidence that a random alcohol or controlled substances testing program is in place.





## Part B - Questions and Answers

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**Question** Driver # 14 - Section # 382.305(b)(1) Critical

Has the carrier conducted random alcohol testing at an annual rate of not less than the applicable annual rate of the average number of driver positions?

**Answer**

No \*

Venice McCain, March 25, 2008, there has not been any random alcohol tests administered

**Question** Driver # 15 - Section # 382.305(b)(2) Critical

Has the carrier conducted controlled substance testing at an annual rate of not less than the applicable annual rate of the average number of driver positions?

**Answer**

No \*

**Comments**

Venice McCain, March 25, 2008, there has not been any random controlled substances tests administered

**Question** Driver # 16 - Section # 10.305(a)

Has the carrier conducted the required return-to-duty tests on employees returning to safety-sensitive functions?

**Answer**

N/A

**Comments**

**Question** Driver # 17 - Section # 40.309(a)

Is the carrier conducting follow-up testing as directed by the Substance Abuse Professional?

**Answer**

N/A

**Comments**

**Question** Driver # 18 - Section # 382.211 Acute

Has the carrier used a driver who has refused to submit to an alcohol or controlled substances test required under Part 382?

**Answer**

No

**Comments**

**Question** Driver # 19 - Section # 382.503 Critical

Has the carrier used a Substance Abuse Professional as required by 49 CFR Part 40 Subpart O?

**Answer**

N/A

**Comments**

**Question** Driver # 20 - Section # 383.23(a) Critical

Has a driver operated a commercial motor vehicle without a current operating license, or a license, which hasn't been properly classed and endorsed?

**Answer**

No

**Comments**

**Question** Driver # 21 - Section # 383.37(a) Acute

Has the motor carrier allowed it's drivers who's CDLs have been suspended, revoked or canceled by a state, have lost the right to operate a CMV in a State, or have been disqualified from operating a CMV to operate a commercial motor vehicle?

**Answer**

No

**Comments**

**Question** Driver # 22 - Section # 383.51(a) Acute

Has the motor carrier knowingly allowed, required, permitted, or authorized a driver to drive who is disqualified to drive a commercial motor vehicle?

**Answer**

No

**Comments**





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05/06/2008

### Part B - Questions and Answers

An asterisk (\*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.

**Question** Operation #1 - Section # 395.8(a) Critical

Does the carrier require drivers to make a record of duty status?

**Answer**

Yes

**Comments**

**Question** Operation #2 - Section # 395.8(i) Critical

Does the carrier require drivers to submit records of duty status within 13 days?

**Answer**

Yes

**Comments**

**Question** Operation #3 - Section # 395.8(k)(1) Critical

Can the carrier produce records of duty status and supporting documents for selected drivers?

**Answer**

Yes

**Comments**

**Question** Operation #4 - Section # 395.3(a)(1) Critical

Has the carrier allowed driver(s) to exceed the 11-hour rule? (Property)

**Answer**

N/A

**Comments**

**Question** Operation #5 - Section # 395.3(a)(2) Critical

Has the carrier allowed driver(s) to exceed the 14-hour rule? (Property)

**Answer**

N/A

**Comments**

**Question** Operation #6 - Section # 395.3(b)(1) Critical

Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Property)

**Answer**

N/A

**Comments**

**Question** Operation #7 - Section # 395.3(b)(2) Critical

Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Property)

**Answer**

N/A

**Comments**

**Question** Operation #8 - Section # 395.5(a)(1) Critical

Has the carrier allowed driver(s) to exceed the 10 hour rule? (Passenger)

**Answer**

No

**Comments**

**Question** Operation #9 - Section # 395.5(a)(2) Critical

Has the carrier allowed driver(s) to exceed the 15 hour rule? (Passenger)

**Answer**

No

**Comments**

**Question** Operation #10 - Section # 395.5(b)(1) Critical

Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Passenger)

**Answer**

No

**Comments**





## Part B - Questions and Answers

An asterisk (\*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.

**Question** Operation #11 - Section # 395.5(b)(2) Critical

Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days?  
(Passenger)

**Answer**  
N/A

**Comments**

**Question** Operation #12 - Section # 395.8(e) Critical

Does available evidence indicate a selected driver has prepared a false record of duty status?

**Answer**  
No

**Comments**

**Question** Operation #13 - Section #

Does the carrier adhere to a disciplinary policy for noncompliance with Part 395?

**Answer**  
No \*

**Comments**

**Question** Operation #14 - Section # 395.1(e)

Does the carrier have a system for recording hours of duty status on 100- mile radius drivers, and are they properly utilizing the 100 air-mile radius exemption?

**Answer**  
N/A

**Comments**

**Question** Operation #15 - Section # 392.2 Critical

Does the motor carrier ensure that drivers operate commercial motor vehicles in accordance with the laws, ordinances, and regulations of the jurisdictions in which they are operating?

**Answer**  
Yes

**Comments**

**Question** Operation #16 - Section # 392.9(a)(1) Critical

Does the carrier ensure that drivers are not permitted to drive a vehicle without the cargo properly distributed and adequately secured?

**Answer**  
Yes

**Comments**

**Question** Operation #17 - Section # 392.4(b) Acute

Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, narcotic drugs, amphetamines, or any other substances capable of rendering the drivers incapable of safely operating motor vehicles?

**Answer**  
No

**Comments**

**Question** Operation #18 - Section # 392.5(b)(1) Acute

Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, intoxicating beverages?

**Answer**  
No

**Comments**

**Question** Operation #19 - Section # 392.5(b)(2) Acute

Have any drivers operated a commercial motor vehicle within 4 hours of having consumed intoxicating beverages?

**Answer**  
No

**Comments**





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## Part B - Questions and Answers

An asterisk (\*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.

**Question** Maintenance # 1 - Section # 396.3(b) Critical

Can the carrier produce maintenance files for requested vehicle(s)?

**Answer**

No \*

**Comments**

4UZAHAHAK04CM68150 - Venice McCain, March 25, 2008, Maintenance files are incomplete

**Question** Maintenance # 2 - Section # 396.17(a) Critical

Can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles?

**Answer**

No \*

**Comments**

4UZAHAHAK04CM68150 - Venice McCain, March 25, 2008, Maintenance files are incomplete

**Question** Maintenance # 3 - Section # 396.11(a) Critical

Does the motor carrier require drivers to complete vehicle inspection reports daily?

**Answer**

Yes

**Comments**

**Question** Maintenance # 4 - Section # 396.11(c) Acute

Does the carrier ensure that out-of-service defects listed by the driver in the driver vehicle inspection reports are corrected before the vehicle is operated again?

**Answer**

N/A

**Comments**

**Question** Maintenance # 5 - Section # 396.9(c)(2) Acute

Does the carrier ensure vehicles that have been declared "out-of-service" do not operate before repairs have been made?

**Answer**

N/A

**Comments**

**Question** Maintenance # 6 - Section # 396.19

Is the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications?

**Answer**

N/A

**Comments**

**Question** Maintenance # 7 - Section # 396.3

Can the carrier explain its systematic, periodic maintenance program?

**Answer**

Yes

**Comments**

**Question** Other # 1 - Section # 375.211

Does the carrier participate in an Arbitration Program?

**Answer**

N/A

**Comments**

**Question** Other # 2 - Section # 13702

Does the carrier assess shipper freight charges based upon published tariffs?

**Answer**

N/A

**Comments**

**Question** Other # 3 - Section # 375.401(c)

Does the carrier provide reasonably accurate estimates of moving charges?

**Answer**

N/A

**Comments**





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### Part B - Questions and Answers

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**Question** Other # 4 - Section # 375.407(a)

Has the carrier avoided "hostage freight" or other predatory practices?

**Answer**

N/A

**Comments**

**Question** Other # 5 - Section # 387.301(a)

Does the HHG carrier have sufficient levels of public liability and cargo insurance?

**Answer**

N/A

**Comments**

**Question** Other # 6 - Section # 13901

Is the motor carrier authorized to conduct interstate operations in the United States?

**Answer**

Yes

**Comments**

Note: No Hazardous Materials questions were asked because the carrier does not carry Hazardous Materials in Interstate Commerce.





SOUTH CAROLINA TOURS LLC  
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### Part B

Your Proposed Safety Audit Result is: **PASS**

### Explanation of Scoring Methodology

Factor	Failed Questions		Performance Test Status	Total Points	Factor Status
	Critical	Acute			
1. General	1	0	-	1	PASS
2. Driver	5	1	-	6.5	FAIL
3. Operations	0	0	-	0	PASS
4. Maintenance	2	0	PASS	2	PASS
5. Hazardous Materials	-	-	-	-	-
6. Accidents	-	-	PASS - 0.00	-	PASS
<b>SUM</b>	8	1		9.5	PASS

**Result: Carrier has adequate basic safety management controls in place.**

NOTE: Carrier has the right to request a review of this determination if there are factual or procedural disputes.

#### HOW THE SA IS SCORED

**FACTORS** - The Federal Motor Carrier Safety and Federal Hazardous Material Regulations are categorized into six factors. Multiple questions address the various factors. The Part B Question & Answer Report lists the CFR section numbers related to each question.

**CRITICAL/ACUTE** - Questions are also defined as CRITICAL, ACUTE or neither depending on the significance of the underlying regulation. Questions are assigned a point value if they are incorrectly answered. Critical = 1 and Acute = 1.5. The point values are summed for each factor. Any factor with a point value of 3 or more is marked "FAILED".

**OUT OF SERVICE (OOS) RATE** - The Driver/Vehicle OOS rate is used in factor #4 as another question. If there have been more than three level 1, 2, or 5 North American Standard Inspections conducted over the past year, they will be summarized. If the summed OOS rate is over 34%, one additional point is assigned to that factor.

**CRASH FACTOR** - Carriers are defined as urban or non-urban in order to compensate for the higher crash risk of urban operations. Urban carriers are defined as those that operate within a 100 air-mile radius. The crash rate for a carrier is calculated as accidents per million miles traveled. Factor #6 is "FAILED" if the urban carrier crash rate exceeds 1.7 or the non-urban carrier crash rate exceeds 1.5.

**OVERALL STATUS DETERMINATION** - Any carrier with 3 or more "FAILED" factors is deemed to have failed the Safety Audit by having inadequate safety management controls in place to operate in the U.S.





**SOUTH CAROLINA TOURS LLC**  
U S. DOT # 1732758

Review Date:  
05/06/2008

### Part B Requirements and/or Recommendations

1. If you have any questions concerning this report, please contact the Department of Motor Vehicles, Motor Carrier Services, 10311 Wilson Blvd. P.O. Box 1498, Blythewood, SC 29016-0027  
Office 1-803-896-9977 Cell 803-530-4929
2. Within 10 working days, file a properly executed MCS-90 financial responsibility endorsement with the Federal Motor Carrier Safety Administration, Department of Motor Vehicles, Motor Carrier Services, ATTN: James Lyons 10311 Wilson Blvd. P.O. Box 1498, Blythewood, SC 29016-0027 *OK*
3. Use of radar detectors or similar devices on commercial vehicles is illegal. Do not require or permit drivers to use them. Take appropriate disciplinary action against drivers if they are using such devices.
4. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. [www.fmcsa.dot.gov/safety-security/eta/index.htm](http://www.fmcsa.dot.gov/safety-security/eta/index.htm)
5. Employers are responsible for their officers', employees', agents', consortia, and/or contractors' compliance with the requirements of 49 CFR Parts 40 and 382.
6. Retain on file a properly completed & current copy of your form MCS-90 financial responsibility endorsement.
7. Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.
8. Ensure that drivers provide a 10-year employment history on their employment application.
9. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
10. Laboratory must transmit aggregate statistical summary on semi-annual basis
11. Maintain all required controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training etc., as required by 49 CFR Parts 40 and 382 of the FMCSR.
12. Do not schedule or require drivers to make trips requiring them to exceed posted speed limits in order to complete the run within the hours of service limits.
13. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
14. Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
15. Obtain from any driver used for the first time (or intermittently) a signed statement showing the total time on-duty during the preceding seven (7) days and the time at which the driver was last relieved from duty.
16. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
17. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the





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### **Part B Requirements and/or Recommendations**

exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.

18. New & intermittently used drivers must provide a signed statement showing their total time on-duty for the seven days preceding any trip. These records must be kept on file for 6-months.
19. Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.
20. Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported, then kept in the vehicle for a day.
21. Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.
22. Periodically review the maintenance and inspection records for all lease vehicles as required by Part 396 of the FMCSR. Keep a record to document these reviews and notify the vehicle owner of any violations detected.
23. Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance inspections. Take corrective action, if schedules are not being adhered to.
24. A complete Educational and Technical Assistance package entitled "A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: [www.fmcsa.dot.gov/factsfigs/eta/index.html](http://www.fmcsa.dot.gov/factsfigs/eta/index.html).
25. Ensure that all drivers subject to pre-employment, random, reasonable cause, post accident, return to duty, and/or follow-up controlled substance testing are tested as required by 49 CFR Parts 40 and 382 of the FMCSR.
26. For questions about DOT numbers or biennial updates: 800-832-5660 or 703-280-4001  
For questions about licensing, authority or MC numbers: 202-366-9805  
For questions about insurance: 202-385-2423  
For household goods complaints: 888-DOT-SAFT (888-368-7238)



**South Carolina VIP Tours, LLC**

1510 Gregg St.  
Columbia, SC 29201

803-254-6944 (office)  
803-253-6334 (fax)

Web address: [www.sctoursinc.com](http://www.sctoursinc.com)  
E-Mail address: [sctoursinc@yahoo.com](mailto:sctoursinc@yahoo.com)

**FAX TRANSMITTAL FORM**

To: James Lyons

From: Dane Toomer

Company:

Date: 5/5/08

Re:

Phone:

Fax:

896-7002

No. of pgs(inc. cover): 4

MCS 90B

NOTE: This is in reference to Part B Requirements and/or Recommendation  
# 2

**ENDORSEMENT FOR  
MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY  
UNDER SECTION 18 OF THE BUS REGULATORY REFORM ACT OF 1982**

**DEFINITIONS AS USED IN THIS ENDORSEMENT**

**ACCIDENT** includes continuous or repeated exposure to conditions which results in Public Liability which the insured neither expected nor intended insured neither expected nor intended.

**BODILY INJURY** means injury to the body, sickness, or disease to any person, including death resulting from any of these.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a for-hire motor

**MOTOR CARRIER** means a for-hire carrier of passengers by motor vehicle.

**PROPERTY DAMAGE** means damage to or loss of use of tangible property.

**PUBLIC LIABILITY** means liability for bodily injury or property damage.

carrier of passengers, with Section 18 of the Bus Regulatory Reform Act of 1982 and the rules and regulations of the Federal Motor Carrier Safety Administration.

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In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Section 18 of the Bus Regulatory Reform Act of 1982 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded for public liability does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo.

It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon, or violation thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately to each accident and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

**FORM F**  
**UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY DAMAGE**  
**LIABILITY INSURANCE ENDORSEMENT**

It is agreed that:

1. The certification of the policy, as proof of financial responsibility under the provisions of any State motor carrier law or regulations promulgated by any State Commission having jurisdiction with respect thereto, amends the policy to provide insurance for automobile bodily injury and property damage liability in accordance with the provisions of such law or regulations to the extent of the coverage and limits of liability required thereby; provided only that the insured agrees to reimburse the company for any payment made by the company which it would not have been obligated to make under the terms of this policy except by reason of the obligation assumed in making such certification.
2. The Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance has been filed with the State Commissions indicated below.
3. This endorsement may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effected by the company or the insured giving thirty (30) days' notice in writing to the State Commission with which such certificate has been filed, such thirty (30) days' notice to commence to run from the date the notice is actually received in the office of such Commission.

Attached to and forming part of Policy No. LPA105305

Issued by Lincoln General Insurance Company, herein called

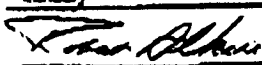
Company, of 3380 Whiteford Road, York, PA 17402

SOUTH CAROLINA TOURS LLC

1510 GREGG STREET COLUMBIA SC  
29201

to \_\_\_\_\_ of \_\_\_\_\_

Dated at Melbourne FL this 30 day of January 2008

Countersigned by   
 (Authorized Representative)

X = INDICATES STATE COMMISSIONS WITH WHOM UNIFORM MOTOR CARRIERS BODILY INJURY AND PROPERTY DAMAGE LIABILITY CERTIFICATE OF INSURANCE HAS BEEN FILED				
ALABAMA	ILLINOIS	MONTANA	RHODE ISLAND	
ALASKA	INDIANA	NEBRASKA	SOUTH CAROLINA	
ARIZONA	IOWA	NEVADA	SOUTH DAKOTA	
ARKANSAS	KANSAS	NEW HAMPSHIRE	TENNESSEE	
CALIFORNIA	KENTUCKY	NEW JERSEY	TEXAS	
COLORADO	LOUISIANA	NEW MEXICO	UTAH	
CONNECTICUT	MAINE	NEW YORK	VERMONT	
DELAWARE	MARYLAND	NORTH CAROLINA	VIRGINIA	
DIST. OF COLUMBIA	MASSACHUSETTS	NORTH DAKOTA	WASHINGTON	
FLORIDA	MICHIGAN	OHIO	WEST VIRGINIA	
GEORGIA	MINNESOTA	OKLAHOMA	WISCONSIN	
HAWAII	MISSISSIPPI	OREGON	WYOMING	
IDAH0	MISSOURI	PENNSYLVANIA	MC634766	X

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by ☒ for the limits shown:

☒ This insurance is primary and the company shall not be liable for amounts in excess of \$25,000 for each accident.

☐ This insurance is excess and the company shall not be liable for amounts in excess of \$\_\_\_\_\_ for each accident in excess of the underlying limit of \$\_\_\_\_\_ for each accident.

Whenever required by the Bureau or the ICC the company agrees to furnish the Bureau or the ICC a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the Bureau or the ICC, to verify that the policy is in force as of a particular date. The telephone number to call is: 1-800-878-3350.

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the date notice is received by the ICC at its office in Washington, D.C.).

SOUTH CAROLINA TOURS LLC

1510 GREGG STREET

Issued to \_\_\_\_\_

of COLUMBIA, SC 29201

Dated at Melbourne, FL this 30 of January, 2008

Amending Policy No. LPA105305 Effective Date 01/30/2008

Name of Insurance Company LINCOLN GENERAL INSURANCE  
COMPANY

Telephone Number 8008783350

Countersigned by \_\_\_\_\_

Authorized Company Representative

The Bus Regulatory Reform Act of 1982 requires limits of financial responsibility according to vehicle seating capacity.

It is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility.

# SCHEDULE OF LIMITS

## Public Liability

For hire (in interstate or foreign commerce).

Effective Date

November 19, 1985

### Vehicle Seating Capacity

1) Any vehicle with a seating capacity of 16 passengers or more.

\$5,000,000

2) Any vehicle with a seating capacity of 15 passengers or less.

\$1,500,000